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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,827	05/11/2001	Alex Lang	4989-009	6461

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EXAMINER	
HOFFMAN, BRANDON S	

ART UNIT	PAPER NUMBER
2136	

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/853,827	LANG ET AL.	
	Examiner	Art Unit	
	Brandon S. Hoffman	2136	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 June 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claim 1-23 are pending in this office action.

2. Applicant's arguments, filed June 16, 2005, have been fully considered and are persuasive.

Rejections

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Klemba et al. (U.S. Patent No. 5,907,620) in view of Bialick et al. (U.S. Patent No. 6,003,135).

Regarding claims 1, 13, and 23, Klemba et al. teaches a portable device for engaging a host computing device comprising:

- A body (fig. 2, ref. num 12);
- A memory within the body containing (col. 2, lines 45-47):
    - Software instructions to subsequently identify the portable device as a cryptographic service provider/second device type to the host computing device and provide a driver for the cryptographic service provider to allow

the host computing device to effectively interact with the portable device to provide cryptography services for applications running on the host computing system (col. 2, lines 53-54, col. 3, lines 2-4, and col. 3, lines 23-27); and

- An interface associated with the memory and adapted to facilitate interaction with the host computing device (fig. 2, ref. num 20/28 and fig. 3, ref. num 35/36),
    - Wherein the host computing device will detect the portable device and configure itself to interact with the portable device to provide the cryptography services for the applications running on the host computing device (col. 2, lines 53-54, col. 3, lines 2-4/23-27, and col. 10, lines 43-49).

Klemba et al. does not teach initial identification indicia to initially identify the portable device to the host computing device as a first device type in which a driver for the first device type is known to the host computing device and the host computing device detecting the portable device as being the first device type.

Bialick et al. teaches initial identification indicia to initially identify the portable device to the host computing device as a first device type in which a driver for the first device type is known to the host computing device and the host computing device detecting the portable device as being the first device type (fig. 8, ref. num 803 and col. 19, lines 4-23).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine initially identifying the portable device as a first type and the host detecting the portable device as the first type, as taught by Bialick et al., with the device of Klemba et al. It would have been obvious for such modifications because the storage device provides a place for the cryptography module to place files during processing. The storage device works from the point of connection, onward. The cryptography module will only work after the storage device has been established (see abstract of Bialick et al.).

Regarding claim 2, Klemba et al. as modified by Bialick et al. teaches wherein the memory further contains service indicia providing instructions to provide a service corresponding the second device type (see col. 7, lines 14-15 of Klemba et al.).

Regarding claims 3 and 14, Klemba et al. as modified by Bialick et al. teaches wherein the service indicia includes instructions for the host computing device to provide the service for applications running on the host computing device (see col. 3, lines 23-27 of Klemba et al.).

Regarding claims 4 and 16, Klemba et al. as modified by Bialick et al. teaches further comprising a processing unit associated with said memory and wherein the service indicia includes configuration instructions for said processing unit to provide the

cryptography service for the host computing device (see fig. 2, ref. num 26, col. 2, lines 53-54, and col. 3, lines 12-14 of Klemba et al.).

Regarding claim 5, Klemba et al. as modified by Bialick et al. teaches wherein the configuration indicia includes a file executable on the host computing device to reconfigure the host computing device to recognize and interact with the portable device as the second device type (see col. 7, lines 14-15 of Klemba et al.).

Regarding claim 6, Klemba et al. as modified by Bialick et al. teaches wherein the memory further contains an application to run on the host computing device (see col. 2, lines 31-35 of Klemba et al.).

Regarding claims 7 and 18, Klemba et al. as modified by Bialick et al. teaches wherein the first device type is a storage device (see X of Bialick et al.).

Regarding claims 8 and 19, Klemba et al. as modified by Bialick et al. teaches wherein the second device type is a cryptographic service provider (see col. 3, lines 1-14 of Klemba et al.).

Regarding claim 9, Klemba et al. as modified by Bialick et al. teaches wherein said memory further contains at least one of the group consisting of private

cryptography key, public cryptography key, and cryptography algorithm (see col. 3, lines 6-10 of Klemba et al.).

Regarding claim 10, Klemba et al. as modified by Bialick et al. teaches wherein the interface is one of the group consisting of electrical, optical, and radio frequency (see col. 7, lines 25-34 and col. 9, lines 10-18 of Klemba et al.).

Regarding claims 11 and 20, Klemba et al. as modified by Bialick et al. teaches wherein the memory further contains deregistering indicia providing instructions for the host computing device to reconfigure the host computing device to a configuration state prior to interacting with the portable device (see col. 7, lines 7-10 of Klemba et al.).

Regarding claims 12 and 21, Klemba et al. as modified by Bialick et al. teaches wherein the memory further contains cleansing indicia providing instructions for the host computing device to remove at least certain information from the host computing device indicative of use of the host computing device while associated with the portable device (see col. 7, lines 7-10 of Klemba et al.).

Regarding claim 15, Klemba et al. as modified by Bialick et al. teaches wherein the configuration instructions to provide the cryptography services are configured for running on the host computing device (see col. 3, lines 15-27 of Klemba et al.).

Regarding claims 17 and 22, Klemba et al. teaches a method comprising:

- Automatically identifying the portable device to the host computing device as a cryptographic service provider/second device type (Examiner believes it to be inherent that the portable device is automatically identified because the CU, which is illustrated as a PCMCIA card, is automatically detected by the host device upon insertion);
- Enabling the portable device as the cryptographic service provider/second device type with the host computing device based on information provided on the portable device (col. 2, lines 53-54 and col. 3, lines 2-4); and
- Providing cryptography services for applications running on the host computing device based on the information provided by the portable device (col. 3, lines 23-27).

Klemba et al. does not teach identifying a portable device to a host computing device as a first device type, which is known to the host computing device or registering the portable device with the host computing device as the first device type.

Bialick et al. teaches identifying a portable device to a host computing device as a first device type, which is known to the host computing device (fig. 8, ref. num 803) and registering the portable device with the host computing device as the first device type (col. 19, lines 4-23).

It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine identifying a portable device to a host as a first device type and registering the device with the host, as taught by Bialick et al., with the method of Klemba et al. It would have been obvious for such modifications because the storage device works from the point of connection, onward. The cryptography module will only work after the storage device has been established (see abstract of Bialick et al.).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon S. Hoffman whose telephone number is 571-272-3863. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Brandon Hoffman

BH

8/17/05

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